

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	Case No. CR01-373-TSZ
)	
v.)	PROPOSED FINDINGS OF FACT
)	AND DETERMINATION AS TO
ANITA DUNLAP,)	ALLEGED VIOLATIONS OF
)	SUPERVISED RELEASE
Defendant.)	

INTRODUCTION

I conducted a hearing on alleged violations of supervised release in this case on July 13, 2010. The defendant appeared pursuant to warrant issued in this case. The United States was represented by Steven Masada, and defendant was represented by Howard Ratner. Also present was U.S. Probation Officer Sarah Moore. The proceedings were digitally recorded.

SENTENCE AND PRIOR ACTION

Defendant was sentenced on February 15, 2002 by the Honorable Thomas S. Zilly for Bank Fraud. She received one day with credit for time served and five years of supervised release.

On July 15, 2005, Ms. Dunlap was arrested pursuant to a federal warrant. It was alleged that she had nine violations of her supervised release which included: committing Social Security fraud; obtaining an automobile loan without approval; failing to disclose all assets and liabilities;

1 obtaining a real estate loan without approval; failing to pay restitution; and failing to submit a
2 truthful and complete written report within the first five days of each month. On July 28, 2005, a
3 supplemental violation report was submitted alleging additional violations: including new credit
4 charges, opening additional lines of credit and obtaining a loan without approval; and submitting
5 false statements regarding checking/savings account information on monthly report forms.

6 On September 1, 2005, Ms. Dunlap's first term of supervised release was revoked and she
7 was sentenced to six months of detention followed by 50 months of supervised release.

8 On January 10, 2006, Ms. Dunlap's second term of supervised release commenced and had
9 an expiration date of March 9, 2010.

10 PRESENTLY ALLEGED VIOLATIONS

11 In a petition dated August 7, 2009, U.S. Probation Officer Tammy M. White alleged that
12 defendant violated the following conditions of supervised release:

13 1. Failing to submit a truthful and complete written report within the first five days of
14 June and July 2009, in violation of standard condition 2.

15 2. Failing to notify the probation office at least ten days prior to any change in
16 residence, in violation of standard condition 6.

17 FINDINGS FOLLOWING EVIDENTIARY HEARING

18 Defendant admitted the above violations, waived any hearing as to whether they occurred,
19 and was informed the matter would be set for a disposition hearing August 4, 2010 at 1:30 p.m.
20 before District Judge Thomas S. Zilly.

21 RECOMMENDED FINDINGS AND CONCLUSIONS

22 Based upon the foregoing, I recommend the court find that defendant has violated the

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1 conditions of his supervised release as alleged above, and conduct a disposition hearing.

2 DATED this 13th day of July, 2010.

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6 BRIAN A. TSUCHIDA
7 United States Magistrate Judge
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